

H. B. No. 601

By 

A BILL

To be entitled

An Act relating to professional sanitarians; providing for the establishment of a State Board of Registration for Professional Sanitarians, and prescribing its powers, duties and functions; dealing with qualifications, appointment, removal, compensation and expenses of members thereof; providing for registration of professional sanitarians and sanitarians in training, and for issuance, renewal, revocation, and reinstatement of certificates of registration, and fixing fees therefor; providing for expenditure of funds collected under provisions of the Act and fixing purposes for which such funds may be used; prohibiting use of the title or designation of "sanitarian" in any public or private employment in this State unless the person employed is registered hereunder and providing a penalty for violation; providing for severability; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. State Board of Registration for Professional Sanitarians. In order to safeguard life, health and property, and to establish and protect the professional status of those persons whose duties in environmental sanitation call for knowledge of the physical, the biological and the social sciences, there is hereby established a State Board of Registration for Professional Sanitarians. It shall be the duty of the State Board of Registration for Professional Sanitarians to carry out the provisions of this Act.

Sec. 2. As used in this Act:

(a) The term "field of sanitation" means the study, art, and technique of applying scientific knowledge for the improvement of the environment of man for his health and welfare.

(b) The term "sanitarian" means a person trained in the field of sanitary science to carry out educational and inspectional duties and enforce the law in the field of environmental sanitation.

(c) The term "Board" means the State Board of Registration for Professional Sanitarians.

Sec. 3. Payment of Administrative Costs. The cost of administering this Act shall be paid from the funds collected hereunder, and such funds shall not be used for any other purpose.

Sec. 4. Appointment of Members of the Board. The Board shall consist of six (6) persons who shall be appointed by the Governor and confirmed by the Senate. Such persons first designated as members shall be persons subject to registration under this Act and who are members of the Texas Association of Sanitarians in good standing. The members originally appointed shall serve for the following term: two (2) members for one (1) year, two (2) members for two (2) years, and two (2) members for three (3) years, from the effective date of their appointment. Thereafter, on the expiration of the term of any member of the Board, the Governor shall appoint for a term of three (3) years a registered professional sanitarian having the qualifications set forth in this Act. Vacancies shall be filled by appointment by the Governor for the remainder of the term.

Sec. 5. Qualifications of Members of the Board. Each member of the Board shall be a citizen of the United States, at least thirty (30) years of age, and shall have been a resident of the State of Texas for at least five (5) years at the time of his appointment. Each member shall have been engaged in the field of sanitation at least five (5) years at the time of appointment. The members of the Board shall qualify by taking the constitutional oath of office before an officer authorized to administer oaths in this State, and by presentation of such oath of office with their appointment, the Secretary of State shall issue commissions to them which shall be evidence for them to act as such. *step 60*

↓ Sec. 6. Officers of the Board; Seal; Rules; Quorum; Meetings; Salaries and Expenses. The members of the Board shall, as soon as appointed by the Governor, organize and annually thereafter in the month of June, elect from their number a president, and a secretary who shall also be the treasurer. The secretary shall continue in office at the pleasure of the Board. The Board shall have a common seal. It shall make and adopt all necessary rules not inconsistent

with the laws of this State or the United States whereby to perform the duties and to transact the business required under the provisions of this Act. It shall hold at least two (2) meetings each year to review applications for registration as professional sanitarians and to transact such other business as may be necessary to carry out the provisions of this Act. Special meetings of the Board shall be called by the secretary upon written request of any two (2) members, or upon a written request signed by ten (10) registered sanitarians. Four (4) members of the Board shall constitute a quorum.

The six (6) members of the Board shall receive no fixed salary but each shall be allowed for each and every day in attending the meetings of the Board the sum of Ten Dollars (\$10.00), including time spent in travel to and from such meetings and said members shall be allowed traveling and other such expenses while in the performance of official duty to be evidenced by vouchers.

Sec. 7. Audit; Annual Report. The funds collected under this Act and all appropriations to the Board shall be subject to audit by the State Auditor. The secretary of the Board shall mail a copy of the report to each registered professional sanitarian and sanitarian in training.

Sec. 8. Record of Proceedings; Register of Applications. The Board shall keep a record of its proceedings, and a register of all applications for registration, which register shall show: (a) the place of residence, name and age of each applicant; (b) the name and address of employer or business connection of each applicant; (c) the date of the application; (d) complete information on educational and experience qualifications; (e) the action of the Board; (f) the serial number of the certificate of registration issued to the applicant; (g) the date on which the Board reviewed and acted on the application; (h) such other information as may be deemed necessary by the Board.

Sec. 9. Certificates of Registration; Eligibility for Registration. The Board, upon application on the form prescribed by it, and upon the payment of a fee of Twenty Dollars (\$20.00), shall issue a certificate of registration as a professional sanitarian to any person who has the qualifications stipulated under

the provisions of this Act, and who submits evidence by passing a written examination prescribed by the Board satisfactory to the Board that the applicant is qualified under the provisions of this Act. In evaluating the evidence submitted to it, the Board shall carefully consider the applicant's knowledge and understanding of the principles of sanitation, the physical, biological, and social sciences, provided that:

(a) Any person who, within six (6) months after the effective date of this Act, submits under oath evidence satisfactory to the Board that he has been a resident of the State of Texas for at least one (1) year immediately preceding the date of application, and that he was employed in the field of sanitation for a period of one (1) year prior to the effective date of this Act may be registered as a professional sanitarian;

(b) Any person, other than those covered under paragraph (a), who after the effective date of this Act applies for registration shall have had not less than two (2) years of professional full time experience in the field of sanitation and shall have a B. S. Degree or equivalent from an accredited college or university with at least eighteen (18) semester hours' work in physical, natural, and biological science and/or public health, together with such other qualifications as may be established by the Board in accordance with provisions stipulated herein for the adoption of rules and regulations; provided, that persons employed in the field of sanitation who meet all qualifications for registration as a professional sanitarian as authorized herein, except the qualifications of experience, shall, upon the approval by the Board and after payment of a fee of Ten Dollars (\$10.00) and by passing a written examination prescribed by the Board, be granted a certificate of Sanitarian in Training, which certificate shall remain in effect unless revoked by the Board for a period not to exceed two (2) years after date of issue. 63

Sec. 10. Renewal of Certificates; Fee; Delinquency and Reinstatement.

Every professional sanitarian registered under the provisions of this Act who desire to continue in the field of sanitation shall annually pay to the secretary of the Board a fee of Twenty Dollars (\$20.00), said fee to be paid on or before

the date to be fixed by the Board for which a renewal certificate of registration for the current year shall be issued. Certificates of registration revoked for failure to pay renewal fees shall be reinstated under the rules and regulations of the Board.

Sec. 11. Suspension or Revocation of Certification; Refusing Registration. The Board shall have the power to suspend or revoke the certificate of registration of any registrant for the practice of any fraud or deceit in obtaining registration, or any gross negligence, incompetency, or misconduct in the practice of professional sanitation. The Board may refuse to issue a certificate to anyone whose certificate or license to engage in sanitation or in any other profession has been revoked, in this State or elsewhere, on the ground of unprofessional conduct, fraud, deceit, negligence, or misconduct in the practice of his profession; and it may also refuse to issue a certificate to anyone upon satisfactory proof that he has been guilty of any of these charges in the practice of sanitation or any other profession. No such suspension or revocation of a certificate or refusal to register shall be permitted until at such time as a hearing is held and the person affected given the opportunity to answer the charges that may have been filed against him with the Board.

Sec. 12. Deposit of Fees. Upon and after the effective date of this Act, all moneys derived from fees, assessments, or charges under this Act shall be paid by the Board into the State Treasury for safekeeping, and shall by the State Treasurer be placed in a separate fund to be available for use of the Board in the administration of the Act upon requisition of the Board. All such moneys so paid into the State Treasury are hereby allocated to the Board for the purpose of paying the salaries and expenses of all persons employed or appointed as provided herein for the administration of this Act, and all other expenses necessary and proper for the administration of this Act, including equipment and maintenance of any supplies for such offices or quarters as the Board may occupy, and necessary traveling expenses for the Board or persons authorized to act for it when performing duties hereunder at the request of the Board.

The Comptroller shall, upon requisition of the Board, from time to time,

draw warrants upon the State Treasurer for the amount specified in such requisition, not exceeding, however, the amount in such fund at the time of making any requisition; provided, however, that all moneys expended in the administration of this Act shall be specified and determined by itemized appropriation in the General Departmental Appropriation Act or other appropriation acts. At the end of a fiscal year, any unused portion of said fund in excess of the amount appropriated for the following fiscal year shall be set over and paid into the General Revenue Fund.

Sec. 13. Offenses. After six (6) months from the effective date of this Act, no person engaging or offering to engage in work in the field of sanitation, in this State shall represent himself to be a sanitarian, or use any title containing the word "sanitarian", or accept or retain any public or private employment in a position under a designation containing the word "sanitarian", unless he is a registrant in good standing with the Board, either as a registered professional sanitarian or as a sanitarian in training. Provided, however, any person who has registered with the Board as a sanitarian in training shall designate himself as a Junior Sanitarian. Any person who violates any provisions of this Section shall be guilty of a misdemeanor and shall be fined not less than Ten Dollars (\$10.00) nor more than Two Hundred Dollars (\$200.00).

Sec. 14. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable. 59

124 Sec. 15. The need of providing a Board and prescribing the qualifications, duties and functions in order to render the necessary services for the preservation of the public health and safety creates an emergency and imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

DATE 4/13/69

To the Honorable DICK CORY  
Committee on State Affairs

Ref: HB 601

We, your Sub-committee to whom was referred HB 601, have had the same under consideration and beg to report back with the recommendation that it do (~~not~~) pass (~~as amended~~) and be (~~not~~) printed. (~~Committee substitute is to be printed in lieu of the original bill.~~)

Respectfully submitted,

Don James, Ch.  
Joe Garrison  
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FORM A

(For favorable and unfavorable reports on bills and resolutions, where no committee amendments are recommended.)

COMMITTEE ROOM

Date April 13, 1959

Hon. Waggoner Carr

Speaker of the House of Representatives.

Sir:

We, your Committee on STATE AFFAIRS, to whom was referred H. B. No. 601, have had the same under consideration

and beg to report back with recommendation { do } pass, and be printed

W. J. Carr  
Chairman.

(When this form is used for a favorable report on a general bill the words "do not" are marked out. If the bill is a local bill the word "not" should be inserted before the word "printed." When used for an unfavorable report the word "do" is marked out, the comma after "pass" is changed to a period, and the remaining words also marked out.

When this form is used for a simple or concurrent resolution the comma after "pass" should be changed to a period and the remaining words stricken out because resolutions are printed in the Journal when first introduced.)



FILED MAR 2 1959

601

MAR 3 1959 READ 1ST TIME  
AND REFERRED TO COMMITTEE ON

H. B. No.

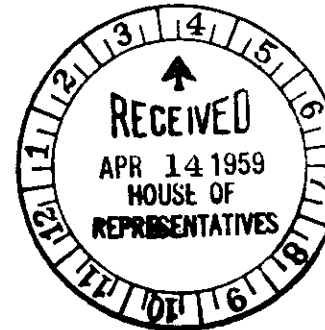
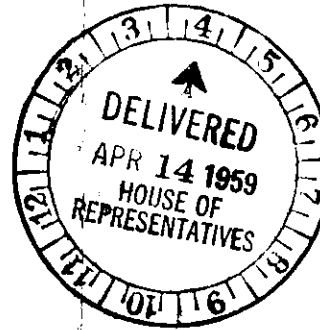
By

*Parish*

A BILL

To be entitled

APR 13 1959 REPORTED FAVORABLY SENT TO PRINTER



APR 14 1959 RETURNED FROM PRINTER. SENT TO SPEAKER

An Act relating to professional sanitarians; providing for the establishment of a State Board of Registration for Professional Sanitarians, and prescribing its powers, duties and functions; dealing with qualifications, appointment, removal, compensation and expenses of members thereof; providing for registration of professional sanitarians and sanitarians in training, and for issuance, renewal, revocation, and reinstatement of certificates of registration, and fixing fees therefor; providing for expenditure of funds collected under provisions of the Act and fixing purposes for which such funds may be used; prohibiting use of the title or designation of "sanitarian" in any public or private employment in this State unless the person employed is registered hereunder and providing a penalty for violation; providing for severability; and declaring an emergency.